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IN THE UNITED STATES DISTRICT COURT  
6 FOR THE WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 THE PHOENIX INSURANCE COMPANY,

9 Plaintiff,

10 vs.

11 RJB WHOLESALE INC., a Washington  
12 Corporation; JEFFREY CASTLEBERRY and  
13 "JANE DOE" CASTLEBERRY, husband and  
wife and the marital community composed  
thereof,

14 Defendant.

No. 2:19-cv-01161-JLR

15 **STIPULATION AND  
16 [PROPOSED] ORDER**

17 **I. STIPULATION**

18 Plaintiff The Phoenix Insurance Company ("Phoenix"), and Defendants  
Jeffrey Castleberry and "Jane Doe" Castleberry ("Castleberries"), by and through  
their respective attorneys, hereby agree and stipulate as follows:

- 19 1. Defendants Jeffrey and Jane Doe Castleberry agree to be bound by  
20 any coverage decision or ruling made by the Court as part of this  
21 action.  
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1           2. In consideration of this agreement, Phoenix agrees to dismiss the  
2           claims asserted against the Castleberries without prejudice and  
3           without fees or costs to either Party.  
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5           DATED this 26<sup>th</sup> day of August, 2019.  
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7           LEATHER & ASSOCIATES, PLLC

8           *s/ Thomas Lether*

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15          Jane Doe Castleberry

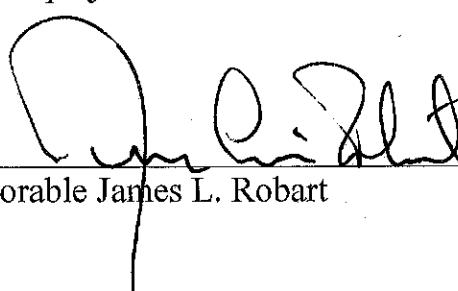
13          *Counsel for The Phoenix  
14          Insurance Company*

15           **II. ORDER**

16           Based on the foregoing Stipulation, it is now, hereby:

17           ORDERED that Defendants Jeffrey Castleberry and Jane Doe Castleberry  
18          are hereby dismissed from this action without prejudice and without recovery.

19           DATED: 26 August 2019

20             
21           Honorable James L. Robart